ORDINANCE NO. 2003-012

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TITLED PALM BEACH COUNTY CONSTRUCTION PERMIT FEE SCHEDULE; REPEALING ORDINANCE 89-21; PROVIDING THE CONSTRUCTION PERMIT FEE SCHEDULE AS EXHIBIT "A"; PROVIDING TIME FOR ASSESSMENT OF FEES; PROVIDING METHODOLOGY FOR VALUATION FOR PRIMARY PERMITTING FEES; PROVIDING FOR REVIEW; PROVIDING REFERENCE FOR ADMINISTRATIVE DETAILS ON PERMITS; PROVIDING FOR REFUNDS; PROVIDING FOR FEE INCREASES FOR FAILURE TO OBTAIN PERMITS IN ADVANCE OF CONSTRUCTION; PROVIDING FOR VIOLATIONS ON NON-PAYMENT OF FEES; PROVIDING FOR RECORDS OF FEES; PROVIDING REPEAL OF LAWS AND ORDINANCES IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapters 125 and 553, Florida Statutes, authorize Palm Beach County to adopt, amend and revise, by Ordinance, building, electric, plumbing, mechanical, gas, fire safety, sanitary and related codes; and

WHEREAS, Sections 104.6.1 and 104.6.4, Florida Building Code (2001), as amended, allows Palm Beach County to pass a schedule of permit fees by ordinance; and

WHEREAS, the present Permit Fee Schedule, Ordinance 89-21, as codified in Chapter 7 Article IIIA of the Palm Beach County Code, has been in effect since October 1, 1989; and

WHEREAS, Palm Beach County Planning, Zoning and Building Department is required to evaluate and adopt a fee schedule adequate to provide complete enforcement of the adopted building codes with a reasonable reserve; and

WHEREAS, it is necessary to standardize the method of calculating said permit fees to provide an equitable system of assessing fees; and

WHEREAS, Palm Beach County has determined that the present fee schedule is insufficient in providing a standardized method of calculating permit fees; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:

SECTION 1. TITLE:

This Ordinance shall be titled Palm Beach County Construction Permit Fee Schedule.

SECTION 2. REPEAL OF ORDINANCE 89-21:

The Palm Beach County Construction Permit Fee Schedule, Ordinance 89-21, is hereby repealed.

SECTION 3. ADOPTION OF PALM BEACH COUNTY CONSTRUCTION PERMIT FEE SCHEDULE AS EXHIBIT "A" AND ATTACHED HERETO:

The Palm Beach County Construction Permit Fee Schedule, marked Exhibit "A" and attached hereto, is hereby adopted and incorporated herein.

SECTION 4. TIME FOR ASSESSMENT OF FEES:

The Building Division shall assess permitting, inspection and other service fees, as provided in Exhibit A "BUILDING PERMITTING & SERVICE FEES", with Submittal Fees paid at application acceptance as a non-refundable application fee, and all other fees paid when the permit or requested service is delivered.

SECTION 5. METHODOLOGY FOR VALUATION FOR PRIMARY PERMITTING FEES:

Valuation for primary permitting fees shall be based upon the total replacement value of buildings, excluding only land, in accordance with Section 104.6.5 of the Florida Building Code, current edition, as amended by Palm Beach County, and SBCCI Quarterly Evaluation Tables.

SECTION 6. REVIEW:

Monitoring of revenue versus expenses shall be completed by Planning, Zoning and Building, to determine the need for further fee adjustments.

Future changes in construction permitting fees as provided by Exhibit A, if required, shall be made no more than once a year, by Ordinance of the Board of County Commissioners, with at least ninety days notice as to the effective date of any increases in fees.

SECTION 7. REFERENCE FOR ADMINISTRATIVE DETAILS ON PERMITS:

Building Division business operations, including procedures on permitting and inspections, time limits on permit applications and on issued permits shall be conducted in accordance with the Chapter 1 "Administration" Local Amendments to the Florida Building Code, as amended from time to time.

SECTION 8. REFUNDS:

Refunds may be granted in accordance with Planning, Zoning and Building Departments' written policies and procedures.

SECTION 9. FEE INCREASE FOR FAILURE TO OBTAIN PERMITS IN ADVANCE OF CONSTRUCTION:

The permit fees shall be doubled for voluntary acquisition of a permit after construction starts, or for permit acquisition by a current property owner for unpermitted building by a former owner. Permits resulting from Code Enforcement action shall bear quadruple fees, with the Director of Code Enforcement Division empowered to reduce fees to double, on individual cases where the person obtaining a permit is not responsible for completed, unpermitted work. The double or quadruple fees represent the costs of enforcement.

SECTION 10. VIOLATIONS ON NON-PAYMENT OF FEES:

A violation of this Ordinance shall exist should any building construction work for which a fee is required herein, begins before payment of all required fees. A violation of this provision is subject to enforcement by the County's Code Enforcement Division in accordance with the procedures set forth in Chapter 162, Part I and Part II, Florida Statutes, as may be amended, and Section 14.2 of the Palm Beach County Unified Land Development Code, as may be amended.

SECTION 11. RECORDS OF FEES:

The Building Official shall keep or cause to be kept a permanent and accurate account of all permit fees and other monies collected, the names of all persons on whose account the same was paid, and the date and amount thereof.

SECTION 12. REPEAL OF LAWS AND ORDINANCES IN CONFLICT:

All local laws and ordinances applying to Palm Beach County in conflict with any provision of this Ordinance are hereby repealed, to the extent of any conflict.

SECTION 13. SAVINGS CLAUSE:

All provisions of Ordinance 89-21, Palm Beach County Construction Permit Fee Schedule Ordinance, as originally enacted and amended, are specifically preserved and remain in full force and effect for the limited purpose of enforcing any alleged violation of said ordinance, which violations occurred prior to its repeal.

SECTION 14. SEVERABILITY:

If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason declared to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

SECTION 15. APPLICABILITY:

This Ordinance shall be in effect in the unincorporated areas of Palm Beach County, and in those municipalities within Palm Beach County for which Palm Beach County Planning, Zoning and Building Department provides permitting, inspection and construction code enforcement service by Interlocal Agreement.

SECTION 16. INCLUSION IN CODE:

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article" or other appropriate word.

SECTION 17. EFFECTIVE DATE:

The provisions of this Ordinance, concerning PRIMARY PERMITTING FEES, shall become effective June 16, 2003, and until that date, Ordinance 89-21 will remain in effect concerning PRIMARY PERMITTING FEES, while all other provisions shall become effective upon filing with the Department of State, State of Florida.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this the 11 day of March, 2003.

DOROTHY H. WILKEN, CLERK

By: Linda C. Hickman
Deputy Clerk

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

BY: _____
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Anne Delfant
Asst. County Attorney

EFFECTIVE DATE: Filed with the Department of State, State of Florida, on the 14 day of March, 2003.

EXHIBIT "A"

BUILDING PERMITTING & SERVICE FEES

I. PRIMARY PERMITTING FEES:

A. Base Permit Fees: (Minimum of $75.00)
(Includes No-Fee Sub Permits With Required Inspections)

	VALUATION RANGE	FEE
1.	To $ 2,500	$75
2.	Next $ 7,500	plus 1.67%
3.	Next $ 90,000	plus 0.84%
4.	Next $400,000	plus 0.42%
5.	All Remainder	plus 0.21%

- "Valuation" per Section 104.6.5 FBC as amended.
- 5% discount given on SFD, without electric, plumbing and mechanical plan review, in excess of code minimums.
- Or, 15% discount given on re-permit of master plans.
- Valuation shall not be used if fixed fee is set below.

B. Plan Review Related Fees:

1.	On new submittals	Per I.A above
2.	Excess Tech or Plan Review Fee, per page (If re-submittal after second critique on same item)	$ 50
3.	Site Plan Review on T/C Plats after recording, per permit	$ 50
4.	Pre-application building codes Design Review	$ 50
	Plus, per sheet	$ 10

C. State Radon & Certification Maintenance:
(Each square foot of floor area under roof)

1.	Radon	half cent
2.	Certification Maintenance (No refund on state mandated fees)	half cent

D. Retroactive Permitting After Construction Start:

1.	Voluntary Application	Double Fees
2.	After Code Citation	Quadruple Fees

II. FIXED PERMIT FEES:

A. Agricultural Exemption Processing: $ 50

B. Annual Permits: (Per Sub-Sections C, I, N, S, or AA, following)

1.	File Creation & Monitoring, annually	$250
2.	Registration Decals	
	a. Random Inspections (No Plan Review), each	$ 10
	b. Prepaid unit inspections	Priced as noted

C. **A/C Change-Outs** (Per system):

1. Residential Inspection, each $150
   (Or may pre-pay for Random per II.B.2.a, if no plan review)
2. Commercial, or Residential with plan review, each $250

D. **Accessory Buildings** (Residential use):

a. Small (To 36 sq. ft. maximum) ..... $ 50
b. Larger, per 250 sq. ft. (Excluding electric) $100

E. **Airport Overlay Special Review** (Per building): $150

F. **Awnings/Canopies/Tents/Membrane Structures** $100
(Per 2,000 sq. ft., or portion thereof, excludes Electric)

G. **Paving, Flatwork or Hard Surfacing:** ..... $ 75
(Per 2,000 sq. ft., or portion thereof)
• No extra fee if valuation is included in primary permit

H. **Demolition Permits:**

1. SFD & Accessory Buildings $250
2. Vacant Lot Landscaping (If Significant Degradation) $150
3. Commercial:
   Per 5,000 sq. ft. of floor space, or increment $250
4. Interior Removal, Non-Structural ..... $ 75

I. **Electric:**

1. Temporary Power Poles (Pumps, tents, etc.) ..... $ 75
   (No plan review; may prepay per II.B.2b)
2. Service Change-outs:
   a.Residential Inspection $165
   (No plan review; may prepay per II.B.2b)
   b.Commercial, per meter base $175
   (With plan review, permit & inspection)
3. Low Voltage:
   a. Detached SFD (no inspections) ..... $ 50
   b. Other (per 3,000 sq. ft. floor area) $100
   c. Site Lighting (per 10 poles) $200
   d. Cable TV Heads (may prepay per II.B.2.b) ..... $ 50

J. **Fences:**

1. Residential (No inspection) $100
2. Pool Barrier $150
3. Commercial Fences, with inspection, per 500'or portion thereof .. $100

K. **Fire Safety Systems,** (Per 5,000 sq. ft. covered) $150

L. **Flag Pole:**

a. Height 10 ft. and less (no inspections) ..... $ 50
b. Over 10' ft. height, each $150

M. **Fuel Tank** (Install or remove) each $100

N. **Door and Window Replacements:** (Or pre-pay, for Random per Section II.B.2.b)
a. Windows and Entry Doors.....$100
b. Garage Doors, each $100

O. **Gas Tank and Lines:**
a. Below 500 gallon capacity, per tank, or Lines only 100
b. Larger capacities, per tank.....$150

P. **Hood, Commercial Cooking**, each.....$100

Q. **Mobile Homes:**
1. Tie-Down, steps & deck.....$200
2. Trade permits, each .....$ 50
3. Roofover, each.....$100

R. **Planter,** under 36" in height, per 100 LF.....$ 50

S. **Roofing:**
1. New roofs & tear offs (Based on contract valuation).....fees per I.A
2. Residential roof-over (Shingle over shingle)
a. Per dwelling unit roof (Or prepay, per II.B random).....$150

T. **Screen Enclosures:**
1. Porch and patio enclosures with roof, each $150
2. Pool enclosures, each $200
3. Wall screening under existing roof, each .....$ 75

U. **Shutters:** (Per 20 openings, or portion thereof).....$150

V. **Siding or Stucco On Lath** (Per 3,000 sq. ft. of wall area).....$100

W. **Signs:**
1. Painted onto or wall supported, each.....$100
2. Freestanding, non-billboard, each $150
3. Billboards, any work $500
4. Face change only.....$100

X. **Swimming Pools & Spas** (Including initial deck):
1. Barriers (See item J-2 under Fences)
2. Residential pools:
a. In-Ground pools, each $350
b. Above-Ground pools, each.....$200
c. Spas, each $100
3. Commercial pools:
a. Pools, each.....$950
b. Spas, each $150

Y. **Utility Connections** (Water or Sewer) $100
(No plan review; may pre-pay per II.B.2.b)

Z. **Walls** (Includes foundation & wall):
a. Per 1000 LF length, or increment.....$150

AA. **Water Heater replacements:** (each) $100
(Or prepay, for Random per section II.B)

BB. **Window Walls or Vinyl Systems**.....$150

CC. **Excavation with SFD:** .....$ 50

III. ADMINISTRATIVE SERVICE FEES:

A. **Appeals to Construction Board of Adjustments & Appeals:** ...$100

B. **Fax Program:** (Annual, for no-fee sub permits).....$200

C. **Plan revisions:** (After permitting).....$ 50
plus additional per sheet.....$ 10

D. **Product Approval reviews for local listing:** (Beginning 10/1/03)
1. Simple product, one application.....$ 500
2. Complex product (multiple use, spans, etc.) $1,500
3. Revision, under same code.....$ 200

E. **Replacement Document:**
1. On-site placard .....$ 40
2. C/O or C/C (After initial free copy).....$ 40

F. **Renew or Extend Permit:** .....$ 40
(Also may require incremental Impact or other Fees)

G. **Revision of Record:**
1. Cancel Permit.....$ 40
2. Contractor change (After PR assigned).....$ 40
3. Owner change.....$100
4. Lot change (Within plat after tech review).....$250
(Lot change outside plat involves refund & new application)

H. **Special Processing of Permits**.....$150
(Affidavit with Building Official approval, Special Foundation Permits, and approved RUSH processing)

IV. INSPECTION SPECIAL FEES:

A. **Annual Permits & decals:** .....(See Sec. II.B)

B. **Forensic investigations:** (Per on-site hour), 1st hour.....$100
other hours, each.....$75/hr
(Excludes any labor or cost to expose or test work covered before required inspections)

C. **General, special or "Significant Degradation" Inspections:**
Advisory, with no active permit (Per on-site hour), 1st hour.....$100
other hours, each.....$100

D. **Overtime Inspections:** (Per hour, or fraction thereof on site) $125
(Must be arranged by noon of previous work day)

E. **Extra Inspection Fees:**
1. Any unproductive inspector trip.....$ 75
(Work not ready, locked out, plans absent, etc.)
2. Initial inspection and 1st re-inspection after "Correction Notice" ..Free
3. Second re-inspection without "correction" done.....$ 75
4. Third re-inspection without "correction" done.....$150
5. Fourth re-inspection without "correction" done.....$250
(Requires qualifier present to insure understanding of correction)

F. **Temporary or Partial C/O or C/C Inspections:**
1. On residential dwelling units, each $150
2. On commercial work, each building $300

V. FEES FOR OTHER REQUESTED WORK:
(Billed to next completed quarter hour, after initial, free half hour)

A. **Non-Supervisory administrative personnel:** per hour.....$ 50

B. **Supervisory administrative personnel:** per hour .....$ 75

C. **Non-Supervisory licensed staff:** per hour .....$ 80

D. **Supervisory licensed staff**: per hour.....$100

VI. SUBMITTAL FEES:

A. SINGLE FAMILY DETACHED HOMES:

Unit Floor Area (Heated/Cooled Sq. Ft.)	Due With Application (Credited Toward Permit Fees)
0-800	$150
801-1399	$250
1400-1999	$400
2000-3599	$750
3600&Larger	$1,000

B. ALL OTHER TYPES OF CONSTRUCTION:

Half of the Primary or Fixed Permit Fees listed in Section I and/or II of this Exhibit "A" shall be due with the application, with fifty ($50.00) dollars minimum credited toward Permit Fees.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on March 11, 2003
DATED at West Palm Beach, FL on 4/3/03
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.